

JAN 11 2008

RA PTAH TAHARQA ALLEN
LEONARD WALTERS, ET AL V THE CITY OF NEW YORKUSDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/16/08

January.9.2008

BY HAND DELIVERY

YOUR HONOR:

KEVIN N FOX

OF Civ 8682 (RPP)

MEMO ENDORSED

I am reponding to a requeast by the defendant for a an eniargement of time accoroding to the pro se manual pg65, the defendant should ask the plaintiff for a extension of time they did not, also the defendant states they need more time to conduct a investigation concerning this matter ,on the day of this incident i called I.A. unit it is I.A. that conducts an investigation from june 1,2007 the investigation stared ,why does counsel need to do there own investiga/ tion, any information concerning this matter is forwarded to counsel if they request it .So now they asking for more time to find the facts. the two months that counsel request can prejudice my case due to the fact that the NYC POLICE DEPT NOTORIOUS HISTORY AN inherit rabid racism and comtempt,disrepect of blacks .

I believe this request for time is a attempt to hasten justice .since counsel has ask for time ,I to repectfully ask for (rule 6 (B).ENLARGMENT) the time lemit has not expired(RULE6;(J) (SMITH V:SENTRY INSURANCE 674,f supp.1459(ND GA.1987))I request the extention do to the fact i HAVE ATTEMPT TO FIND,the true names of the officers named in my suit ,there first names,I have not been suceessful (PSA 5) has not giving me there names the CCRB has not giving the names of these officers .also i sent an interrogatories with my summons and complaint to ONE POLICE PLAZA and I have not receive a reponce from the defendant,futher more the marshall ser/vic attempted to serve the officers unsucessfully.(copies of servi/ce and the interrogatory attached) therefore I again repectfully request anenlargment of time to ascertain the true first names of the defendants. and to amend my complaint(PRO SE MANUAL pg 59)

As to this request by counsel(RULE 11)only papers served of file with the court does not apply to all papers sent to the court, such as a letter.As to WILLIAMS.V.THE CITY OF NEW YORK,ET.AL N.Y.D 2D.800.486 N.Y.S2D (918(1985))that case was not a constitutional matter

SEE TYPEWRITTEN MEMO
ENDORSEMENT ATTACHED

In view of the foregoing,it is repectfully requested that the court grant the within request .thank you your HONOR for your consideration

*Application granted.
Plaintiffs' time to serve the individual defendant is extended by 60 days.
Defendant City of New York shall advise plaintiffs within 14 February 1, 2008 of the first names of the individuals police officers on duty on June 1, 2007 from the 25th Precinct between the hours of 7-12 PM at 1345 5th Avenue N.Y.C.
So ordered
RA PTAH TAHARQA ALLEN*

cc.LAW DEPARTMENT ,SARAN.B.EVANS
100 ,CHURCH,ST NY.NY.1007
ASST,COUNSEL(BY MAIL)

11/15/08

LEONARD WALTERS PRO SE

Case: Ra Ptah Taharqa Allen, et ano. v. City of New York
Index No. 07 Civ. 8682 (RPP)

MEMO ENDORSEMENT READS:

Application granted.

Plaintiffs' time to serve the individual defendants is extended by 60 days. Defendant City of New York shall advise plaintiffs by February 1, 2008 as to the first names of the individual police officers on duty on June 1, 2007 from the 25th Precinct between the hours of 7 – 12 P.M. at 1345 5th Avenue, N.Y.C.

So ordered.

Robert P. Patterson, Jr., U.S.D.J., 1/15/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RA PYAH TAHARQA ALLEN

X

LEONARD WALTERS Plaintiff,

PLAINTIFF'S INTERROGATORIES
TO DISCOVER IDENTITIES AND
ADDRESSES OF DEFENDANTS

- against -

07 Civ. 8682 (TPG)

N.Y. YORK CITYN POLICE DEPT

P.O. GONZALEZ
Defendants.

P.O. RUIZ P.O. GERURRERO X

P.O.

Pursuant to Fed. R. Civ. P. 33, the Defendant(s) shall serve answers, under oath, to the following interrogatories within 30 days upon plaintiff at the address below.

Dated: 11-7-07

ra ptah taharqa allen

Plaintiff's Name

Identification No. (If applicable)

Address

INTERROGATORIES

1. IDENTIFY all police officers who were on duty or otherwise present on (JUNE 1,,07, HOUSING UNIT) 25th Precinct 120 east 119th) st between the houres of 7 pm 12 pm. AT TAFT HOUSES 1345 1345 5th ave identify first names of p.o. gonzalez.ruiz.gerurreo

2, STATE THE NAMES ,SHIELD NUMBERS, AND ADDRESSES WHERE PROCESS MAY BE SERVED ON ANY PERSONS IDENTIFIED ABOVE.

3. ANY POLICE REPPORTS CONCERNING THIS MATTER.

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF <u>RAPIAH TARRAGA Allen</u>		COURT CASE NUMBER <u>2007-2002-CV-8682</u>						
DEFENDANT <u>NY PD ET AL</u>		TYPE OF PROCESS <u>Subpoena - Complaint</u>						
SERVE ➔	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>PO Ruiz 5th Precinct NY PD</u>							
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>120 E 122nd St 10029-1919 N.Y. N.Y.</u>							
AT								
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:								
<table border="1"> <tr> <td><u>RAPIAH TARRAGA Allen</u> <u>1694 Madison Ave #146</u> <u>10029 N.Y. N.Y.</u></td> <td>Number of process to be served with this Form - 285 <u>1</u></td> </tr> <tr> <td></td> <td>Number of parties to be served in this case <u>4</u></td> </tr> <tr> <td></td> <td>Check for service on U.S.A. <u></u></td> </tr> </table>			<u>RAPIAH TARRAGA Allen</u> <u>1694 Madison Ave #146</u> <u>10029 N.Y. N.Y.</u>	Number of process to be served with this Form - 285 <u>1</u>		Number of parties to be served in this case <u>4</u>		Check for service on U.S.A. <u></u>
<u>RAPIAH TARRAGA Allen</u> <u>1694 Madison Ave #146</u> <u>10029 N.Y. N.Y.</u>	Number of process to be served with this Form - 285 <u>1</u>							
	Number of parties to be served in this case <u>4</u>							
	Check for service on U.S.A. <u></u>							

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Signature of Attorney or other Originator requesting service on behalf of: <u>RAPIAH TARRAGA Allen</u>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <u>310-4692</u>	DATE <u>11/19/07</u>
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process <u>1</u>	District of Origin No. <u>2</u>	District to Serve No. <u>2</u>	Signature of Authorized USMS Deputy or Clerk <u>[Signature]</u>	Date <u>11/19/07</u>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☒ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) <u></u>	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above) <u></u>	Date of Service <u>12/12/07</u> Time <u></u> am <u></u> pm
	Signature of U.S. Marshal or Deputy <u>[Signature]</u>

Service Fee <u>20.00</u>	Total Mileage Charges (including endeavors) <u></u>	Forwarding Fee <u></u>	Total Charges <u>20.00</u>	Advance Deposits <u></u>	Amount owed to U.S. Marshal or <u></u>	Amount of Refund <u></u>
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REMARKS:

Sent out for mail service on 12/12/07, no response.
Set up for Per/service on 12/19/07.
DASH CALLED 12/28/07 when expedite to above address
DASH CALLED 12/28/07 when expedite to 5th Precinct
unable to locate individual.

NOTE

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF <u>RA PRATTA TAHARA Allen</u>		COURT CASE NUMBER <u>07-8682</u>									
DEFENDANT <u>N.Y. PD ECAL</u>		TYPE OF PROCESS <u>Summons & Complaint</u>									
SERVE ➔	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>PO. CONZALAS, 5th FLD Precinct N.Y. PD.</u>										
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>120 E 123 ST 10035-1918 N.Y. N.Y.</u>										
AT											
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:											
<table border="1"> <tr> <td><u>RA PRATTA TAHARA Allen</u></td> <td>Number of process to be served with this Form - 285</td> <td><u>1</u></td> </tr> <tr> <td><u>1694 MADISON AVE AP 146</u></td> <td>Number of parties to be served in this case</td> <td><u>4</u></td> </tr> <tr> <td><u>10029 N.Y. N.Y.</u></td> <td>Check for service on U.S.A.</td> <td></td> </tr> </table>			<u>RA PRATTA TAHARA Allen</u>	Number of process to be served with this Form - 285	<u>1</u>	<u>1694 MADISON AVE AP 146</u>	Number of parties to be served in this case	<u>4</u>	<u>10029 N.Y. N.Y.</u>	Check for service on U.S.A.	
<u>RA PRATTA TAHARA Allen</u>	Number of process to be served with this Form - 285	<u>1</u>									
<u>1694 MADISON AVE AP 146</u>	Number of parties to be served in this case	<u>4</u>									
<u>10029 N.Y. N.Y.</u>	Check for service on U.S.A.										

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Signature of Attorney or other Originator requesting service on behalf of: <u>RA PRATTA TAHARA Allen</u>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <u>(212) 300-4692</u>	DATE <u>11/19/07</u>
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process <u>1</u>	District of Origin No. <u>51</u>	District to Serve No. <u>51</u>	Signature of Authorized USMS Deputy or Clerk	Date <u>11/19/07</u>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☒ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.				
Address (complete only if different than shown above)	<table border="1"> <tr> <td>Date of Service <u>12/10/07</u></td> <td>Time am pm</td> </tr> <tr> <td colspan="2">Signature of U.S. Marshal or Deputy <u>Paul P. Calabrese</u></td> </tr> </table>	Date of Service <u>12/10/07</u>	Time am pm	Signature of U.S. Marshal or Deputy <u>Paul P. Calabrese</u>	
Date of Service <u>12/10/07</u>	Time am pm				
Signature of U.S. Marshal or Deputy <u>Paul P. Calabrese</u>					

Service Fee <u>9.00</u>	Total Mileage Charges (including endeavors) <u>16.13</u>	Forwarding Fee	Total Charges <u>16.13</u>	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS: Sent out for mail service on 11/20/07, no response. Set up for Per/service on 12/10/07. Sum CALABRESA 12/28/07 went on expedite to address. Sum CALABRESA 12/28/07 went on expedite to 5th Precinct unable to locate individual.

07-8682-11

NOTE 117PD

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF <u>RAPTAH TAHARQA ALKEN</u>	COURT CASE NUMBER <u>01V-07-8022</u>
DEFENDANT <u>N.Y. PD ETAL</u>	TYPE OF PROCESS <u>Sup. Court - P.O.M. 11/10/07</u>
SERVE ➔	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>PO GUERRERO 5th Precinct N.Y. PD. N.Y. N.Y.</u>
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <u>170# 123rd St 10035-1918 N.Y. N.Y.</u>
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	
<u>RAPTAH TAHARQA ALKEN</u>	
<u>1694 Madison Ave #146</u>	
<u>10029 N.Y. N.Y.</u>	
Number of process to be served with this Form - 285	<u>1</u>
Number of parties to be served in this case	<u>4</u>
Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Signature of Attorney or other Originator requesting service on behalf of:

RAPTAH TAHARQA ALKEN☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

(712) 300-4692

DATE

11/19/07**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process <u>14</u>	District of Origin No. <u>54</u>	District to Serve No. <u>54</u>	Signature of Authorized USMS Deputy or Clerk	Date <u>11/19/07</u>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☒ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service
12/21/07 Time am

Signature of U.S. Marshal or Deputy

Det P. C. C. 35

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
			<u>27.00</u>			

REMARKS:

sent out for mail service on 11/19/07, no response. 01-8682-46

set up for Per/service on 12/19/07.

Person CALABAZA 12/28/07 went on expedition to about address

Person CALABAZA 12/28/07 went on expedition to about address

unable to locate individual.

NOTE

PRIOR EDITIONS
MAY BE USED**3. NOTICE OF SERVICE**

FORM USM-285 (Rev. 12/15/80)